

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARK BENSON #274107,

Plaintiff,

Case No. 1:23-cv-268

v.

HONORABLE PAUL L. MALONEY

M. FARBER, et al.,

Defendants.

/

ORDER ADOPTING REPORT AND RECOMMENDATION

This is a prisoner civil rights action filed pursuant to 42 U.S.C. § 1983. Defendant Farber filed a motion for summary judgment. The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on August 13, 2024, recommending that this Court grant the motion and enter judgment.¹ The Report and Recommendation was duly served on the parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Therefore,

IT IS HEREBY ORDERED that the Report and Recommendation (ECF No. 63) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that the Motion for Summary Judgment (ECF No. 58) is GRANTED.

IT IS FURTHER ORDERED that for the same reasons the Court concludes that Plaintiff's claims are properly dismissed, the Court also concludes that any issue Plaintiff might

¹ The other Defendants were dismissed by prior orders of the Court (ECF Nos. 12 and 45).

raise on appeal would be frivolous. *Coppedge v. United States*, 369 U.S. 438, 445 (1962).

Accordingly, the Court certifies that an appeal would not be taken in good faith.

A Judgment will be entered consistent with this Order.

Dated: September 11, 2024

/s/ Paul L. Maloney
Paul L. Maloney
United States District Judge